



## EPA Daily News Briefing

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**TO: ADMINISTRATOR AND SENIOR EXECUTIVES**

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## ADMINISTRATOR:

### GOP Senators Suspend Committee Rules, Advance Pruitt Nomination.

NPR (2/2, Seipel) reported that "for the second time in as many days, a Senate committee's GOP

leadership has bypassed a boycott by Democrats to advance President Trump's Cabinet nominees." Democrats on the Senate Environment and Public Works Committee boycotting the hearing, and "committee rules say that two members of the minority party must be present for a vote." Chairman John Barrasso, however, "suspended the rules so Pruitt's nomination could pass the

committee with only Republican votes, and he passed 11-0.” The [New York Times](#) (2/2, Davenport) and [New York Post](#) (2/2, Schultz), among other outlets, indicate the full Senate is highly likely to confirm Pruitt next week.

The [Washington Post](#) (2/2, Dennis, Mooney) quotes Barrasso as saying, “Elections have consequences, and a new president is entitled to put in place people who will advance his agenda. ... We took this extraordinary step because the minority members of the committee took the extraordinary step of boycotting.” The [AP](#) (2/2, Biesecker, Taylor) notes that with those comments, Barrasso “echoed President Barack Obama’s famous 2009 statement to GOP leaders that ‘elections have consequences.’” Yet “despite the rhetoric from committee Republicans,” adds the AP, “the Democrats appeared to have borrowed directly from their opponents’ playbook.” In 2013, “GOP members of the same committee boycotted a similar committee meeting on Gina McCarthy, Obama’s then-nominee for EPA administrator,” who was later confirmed.

At any rate, says [Politico](#) (2/2, Guillén, Snider), Barrasso “pointed out that Democrats cited an exception in the rules to push a cap-and-trade bill through committee in 2009, despite Republicans boycotting the markup of that bill.” While “at the time, Barrasso and other Republicans said that tactic was invalid...Barrasso on Thursday said the Senate parliamentarian had blessed his decision to suspend the rules requiring members of the minority to be present.”

In explaining their boycott, the [Washington Times](#) (2/2, Wolfgang) reports, “Democrats argue Mr. Pruitt did not adequately respond to their questions about climate change and other key environmental issues, though Republicans countered that the attorney general spent more time before the committee and submitted more written answers than any recent EPA administrator.” The [Tulsa \(OK\) World](#) (2/2, Krehbiel) noted that “only Chairman John Barrasso spoke during Thursday’s meeting,” while the [Wall Street Journal](#) (2/2, Harder) indicates Sen. Sheldon Whitehouse issued a statement that read, “Scott Pruitt needs to come clean with this Committee and the American people about conflicts with the fossil fuel industry that he would regulate if confirmed.” Influence Of California Could Foil Some Of Pruitt’s Environmental Plans. The [Los Angeles Times](#) (2/2, Halper, Megerian) reports that Pruitt may face “monumental” advancing an agenda more favorable to fossil

fuels as California exerts significant influence over national environmental standards. “Roughly 40% of American cars are sold in California or in a state following its lead. So the new administration’s power to ease the regulatory burden on automakers is severely limited unless it can force California to go along.”

## **Union Of Concerned Scientists Says**

**No On Pruitt Confirmation.** Writing for [YubaNet \(CA\)](#), (2/2) Ken Kimmell of the Union of Concerned Scientists wrote a letter protesting the nomination of Scott Pruitt to lead the EPA, stating that his “record gives us no reason to believe that he will vigorously hold polluters accountable or enforce the law.”

## **AIR:**

### **Additional Reading.**

- *Utah Lawmakers Push For Plan To Improve Poor Air Quality.* [AP](#). (2/2, Golden)

## **BROWNFIELDS/SUPERFUND/OTHER CLEANUPS:**

### **EPA To Assess Ann Arbor’s Toxic Plume For Possible Superfund Status.**

[Michigan Daily](#) (2/3, Chadwell) reports that the EPA regional administration in Chicago announced Tuesday it will “assess whether the dioxane plume in Ann Arbor will qualify for a cleanup under the EPA’s federal Superfund.” The gradually expanding plume was first discovered in 1985. It has since contaminated groundwater and “forced the closure of more than 100 private residential wells and is expected to reach the Huron River in the coming decades and potentially contaminate Ann Arbor’s water source at Barton Pond.”

### **Contaminated Superfund In St. Louis Struggles For Cleanup Funding.**

[E&E Publishing](#) (2/2) reports that a state report in 1974 identified “toxins everywhere” related to DDT surrounding Velsicol’s facility in St. Louis, which was then known as Michigan Chemical Corp. An advisory has been in place ever since, yet there has been limited success in eradicating the contamination. The Velsicol site is targeted to for thermal destruction, a process to neutralize the toxins, however, the EPA has not yet secured

funding for such an expensive process. Eventually, “EPA says, it will cap the site to prevent the further spread of toxins.” Ed Lorenz, professor at Alma College, acknowledged that “there’s a lot of sympathy with these other [afflicted] communities, but the bad thing is we’re sort of in competition with each other for money,” largely because the Superfund tax has been expired since 1995.

## **BUDGET:**

### **Additional Reading.**

- ***EPA Funding Appears To Return To Normal.*** Bucks County (PA) Courier Times. (2/2, Bagenstose)

## **CLIMATE CHANGE:**

**Climate Change Pages Altered On New EPA Website.** Grist (2/2, Kahn) reports that the EPA website under the Trump administration has had mentions of “formal climate plans created under former President Obama, tribal assistance programs, and references to international cooperation” removed from its pages. Carbon pollution is no longer listed as a cause of climate change, and now “adaptation has been emphasized, indicating an attempt to separate the cause of climate change from the response.” Grist suggests that the changes, when taken together with Trump’s statements dismissing climate change, “likely signals that the U.S. will be stepping back from addressing global climate change.”

## **ENERGY:**

**Analysts: Oil Industry May Not Be Pleased With Some Of Trump’s Policies.** The San Diego Union-Tribune (1/30, Nikolewski) reports that “as the Trump Administration takes shape” things are looking “sunny” for the oil industry. However, “some energy analysts say a number of issues — ranging from protectionist trade policies to the controversial executive order restricting travel from seven countries — may put some segments of the industry at odds with the new president.” Edward Jones energy analyst Rob Desai said, “It’s a more nuanced picture.” Perry, Secretary of State Rex Tillerson and the nominee to head the

EPA are viewed as having close ties to the industry and one of Trump’s early moves was “an executive order to green-light the construction of the Keystone XL pipeline and the Dakota Access Pipeline.” But “not every one of Trump’s moves and overtures have been greeted with glee by the industry.” The “controversial order to restrict travel from seven Middle Eastern countries” could “prove troublesome for large, multinational U.S. oil companies.”

## **ENFORCEMENT:**

**DOE, EPA, Interior IGs Not Targeted For Replacement.** E&E News PM (2/1, Bogardus, Smith-Schoenwalder) reports that a “now-aborted wholesale purge of inspectors general by President Trump’s transition team did not affect watchdogs from U.S. EPA and the Interior and Energy departments.” Representatives for all three agencies told E&E “that the transition team did not contact their IGs to tell them they would eventually be replaced, as happened elsewhere in the government.”

## **OTHER NEWS:**

**Murkowski Still Not Sure When Vote For Perry Will Take Place.** The “Morning Energy” blog of Politico (2/2) reported Senate Energy and Natural Resources Chairwoman Lisa Murkowski “still had no signs on when DOE nominee Rick Perry and Interior Department designee Ryan Zinke might get full votes.” Legislators “are currently working on Betsy DeVos’ Education Department nomination, which Murkowski and fellow Republican Sen. Susan Collins plan to vote against.” According to Murkowski, “Beyond that, there is no certainty to any line up, unfortunately because I really want to get these guys moved.”

E&E Publishing (2/2) reports the Senate Energy and Natural Resources Committee has been “largely spared the nominee tussling” other committees have experienced, although votes on Perry and Zinke “were delayed for one week after ranking member Maria Cantwell (D-Wash.) raised objections to Perry’s response to the panel, scuttling a markup that had already been noticed.” Murkowski “told E&E News that she delayed the Zinke and Perry votes out of a desire to start off ‘on the right foot.’” Murkowski stated, “You saw how that played out. ... We were the one

committee yesterday that moved through two nominees with no fireworks, no boycotts and a bipartisan vote, and I felt pretty darn proud of what we did.”

[NBC News](#) (2/2) website reports Perry “passed through committee with 16-7 vote” and “he is expected to comfortably pass a full confirmation vote to head the department he once advocated for eliminating.” The [ABC News](#) (2/2) website reports President Trump “has more unconfirmed Cabinet nominees at this point in his term than all previous presidents combined, according to an ABC News analysis of data from the Congressional Research Service.” Eleven of his Cabinet nominees “remain unconfirmed,” including Perry. His nominees “for the Departments of Agriculture, Labor, and Veterans Affairs have yet” to even “have their hearings.”

### **Ericksen: EPA Transition Team Has “Great Relationship” With EPA Staff.**

[Greenwire](#) (2/2) reports that Doug Ericksen, a member of the Trump EPA transition team, responded to characterizations of a “rocky transition” at the agency, and said the Trump political staff has a “great relationship” with career professionals.

**Conservative Group Seeks Information From EPA On Reported Use Of Messaging App.** The [Washington Times](#) (2/2, Swoyer) reports that Cause of Action, “a conservative watchdog group,” has filed a FOIA request with the EPA “demanding the agency explain whether its employees are using encrypted messaging apps to communicate about President Trump’s environmental agenda outside of regular government channels.” The request follows a Politico report that some EPA employees are using an app called Signal, “which encrypts messages to make it more difficult to hack,” to discuss business.

**Florida Lawmaker Drafts Bill To Abolish EPA.** The [Daily Caller](#) (2/1, Bastasch) reports that Florida Republican Congressman Matt Gaetz is “drafting legislation to abolish the Environmental Protection Agency (EPA) and looking for fellow lawmakers to co-sponsor the effort.” According to Gaetz, the EPA, “under Republican and Democratic administrations” has “overreached, violating state sovereignty and addling businesses with costly regulations.

Gaetz’s bill would close EPA at the end of 2018 and give states primary control over environmental laws.” The article adds, Gaetz’s bill “resembles a provision of the Republican Party platform released last summer. The GOP platform suggested turning EPA ‘into an independent bipartisan commission, similar to the Nuclear Regulatory Commission, with structural safeguards against politicized science.’”

### **Additional Reading.**

- ***A Teenage Gorsuch Learned From Mother’s Stormy Tenure At EPA.*** [AP](#). (2/2, Benac)

## **RULES/REGULATIONS/POLICY**

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### **Senate Approves Roll Back Of Stream Protection Rule.**

In the first of what [USA Today](#) (2/2, Collins) says will likely be “many rollbacks of environmental regulations,” the Senate voted 54-45 Thursday to roll back the Stream Protection Rule, which was “designed to limit the dumping of mining waste in local waterways.” [Politico](#) (2/2, Guillén) reported that Democratic Sens. Joe Manchin, Claire McCaskill, Joe Donnelly, and Heidi Heitkamp “joined every Republican except Maine’s Susan Collins in voting for the measure.” The [Washington Times](#) (2/2, Dinan) says the Senate vote followed House passage on Wednesday. The two votes marked “just the second time Congress has successfully flexed the Congressional Review Act.”

The [New York Times](#) (2/2, Tabuchi) calls the vote a first step toward “officially dismantl[ing] Obama-era environmental regulations.” [Reuters](#) (2/2, Lambert) says the rule is “the first of a number of Obama-era regulations congressional Republicans are aiming to kill,” and the [Washington Post](#) (2/2, Eilperin, Mufson) says this is “the first of nearly half-a-dozen rule reversals headed to President Trump’s desk for his signature this month.”

**House To Vote On Methane Rule As Early As Friday.** The [Denver Post](#) (2/2, Finley) reports House Republicans are set to overturn a rule limiting oil and gas companies from flaring on federal lands. Republicans invoked the Congressional Review Act in an effort to reveal the BLM rule. US Rep. Bob Bishop initiated an energy-industry backed bill that would kill the

methane rule. The House is expected to vote on the bill Friday, and then it would move on to the Senate. Republicans argued that emissions have decreased, even as production increased, and that the rule would delay permits for companies seeking to access public land for drilling.

## **TOXICS/TSCA:**

### **Local TV Coverage: DC House Lead**

**Poisoning.** WTTG-TV Washington (2/2, 6:03 p.m. EST) reported, “Doctors say a 2-year-old has been diagnosed with one of the worst cases of lead poisoning in the district in decades. And there are concerns more families could be at risk. risk. The problem started for Heavens shortly after she and her family moved into a home in northeast that they were paying for with DC housing vouchers. An EPA inspection after the girl’s diagnosis found lead paint throughout the home. The lead paint was there even though the DC Housing Authority was required to have an inspection done, which they did do and their unit passed. ...one of the problems is the way in which the law was structured, which only requires a visual inspection. So if for example a landlord paints and then the next day there’s an inspection, you can’t actually see behind the paint to what the real problem is.”

### **EPA Informs Grenada Citizens About Elevated TCE Levels.**

The Grenada (MS) Daily Star (2/3, Ross) reports that EPA Environmental Engineer Mike Norman spoke at a community meeting in Grenada, Mississippi on Tuesday to discuss an “elevated area of TCE” near a local manufacturing plant. He said there is “no immediate threat to public health,” but that the agency will continue monitoring the situation.

## **WATER:**

### **Additional Reading.**

- ***Water Advisories Lifted For 100K Pittsburgh Residents After Contamination Concerns.*** Harrisburg (PA) Patriot-News. (2/2)

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